

53 Stat. 45; 58 Stat.

44.  
26 U. S. C. § 114 (b)  
(4).

(b) So much of section 114 (b) (4) of the Internal Revenue Code (relating to percentage depletion for certain minerals) as precedes the second sentence thereof, is amended to read as follows:

“(4) PERCENTAGE DEPLETION FOR COAL, BAUXITE, FLUORSPAR, FLAKE GRAPHITE, VERMICULITE, BERYL, FELDSPAR, MICA, TALC (INCLUDING PYROPHYLLITE), LEPIDOLITE, SPODUMENE, BARITE, BALL, SAGGER, AND CHINA CLAY, ROCK ASPHALT, PHOSPHATE ROCK, TRONA, BENTONITE, GILSONITE, THENARDITE, AND METAL MINES, POTASH, AND SULFUR.—

53 Stat. 14.

26 U. S. C. § 23 (m).

“(A) In General.—The allowance for depletion under section 23 (m) shall be, in the case of coal mines, 5 per centum, in the case of metal mines, bauxite, fluorspar, flake graphite, vermiculite, beryl, feldspar, mica, talc (including pyrophyllite), lepidolite, spodumene, barite, ball, sagger, and china clay, phosphate rock, rock asphalt mines, trona, bentonite, gilsonite, thenardite (from brines or mixtures of brine), and potash mines or deposits, 15 per centum, and in the case of sulfur mines or deposits, 23 per centum, of the gross income from the property during the taxable year, excluding from such gross income an amount equal to any rents or royalties paid or incurred by the taxpayer in respect of the property.”

53 Stat. 45.  
26 U. S. C. § 114 (b)  
(2).

(c) The first sentence of section 114 (b) (2) of the Internal Revenue Code (relating to discovery value) is amended to read as follows: “In the case of mines (other than metal, bauxite, coal, fluorspar, flake graphite, vermiculite, beryl, feldspar, mica, talc (including pyrophyllite), lepidolite, spodumene, barite, potash, ball, sagger, and china clay, phosphate rock, rock asphalt, trona, bentonite, gilsonite, thenardite, or sulfur mines) discovered by the taxpayer after February 28, 1913, the basis for depletion shall be the fair market value of the property at the date of discovery or within thirty days thereafter, if such mines were not acquired as the result of purchase of a proven tract or lease, and if the fair market value of the property is materially disproportionate to the cost.”

(d) The amendments made by subsections (b) and (c) of this section shall be applicable with respect to taxable years beginning after December 31, 1946.

## SEC. 16. CHARITABLE CONTRIBUTIONS BY CORPORATIONS.

56 Stat. 822.  
26 U. S. C. § 23 (q)  
(2).

Section 23 (q) (2) of the Internal Revenue Code (relating to charitable and other contributions by corporations) is hereby amended by striking out “the date of the cessation of hostilities in the present war, as proclaimed by the President” and inserting in lieu thereof “December 31, 1948”.

Approved August 8, 1947.

## [CHAPTER 516]

### JOINT RESOLUTION

To authorize the Secretary of Agriculture to sell timber within the Tongass National Forest.

August 8, 1947  
[H. J. Res. 205]  
[Public Law 385]

“Possessory rights.”

23 Stat. 26, 1100; 31  
Stat. 330.  
45 U. S. C. § 356.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That “possessory rights” as used in this resolution shall mean all rights, if any should exist, which are based upon aboriginal occupancy or title, or upon section 8 of the Act of May 17, 1884 (23 Stat. 24), section 14 of the Act of March 3, 1891 (26 Stat. 1095), or section 27 of the Act of June 6, 1900 (31 Stat. 321), whether claimed by native tribes, native villages,

native individuals, or other persons, and which have not been confirmed by patent or court decision or included within any reservation.

SEC. 2. (a) The Secretary of Agriculture, in contracts for the sale, or in the sale, of national forest timber under the provisions of the Act of June 4, 1897 (30 Stat. 11, 35), as amended, is authorized to include timber growing on any vacant, unappropriated, and unpatented lands within the exterior boundaries of the Tongass National Forest in Alaska, notwithstanding any claim of possessory rights. All such contracts and sales heretofore made are hereby validated.

Timber on vacant lands, etc.

(b) The Secretary of the Interior is authorized to appraise and sell such vacant, unappropriated, and unpatented lands, notwithstanding any claim of possessory rights, within the exterior boundaries of the Tongass National Forest as, in the opinion of the Secretary of the Interior and the Secretary of Agriculture, are reasonably necessary in connection with or for the processing of timber from lands within such national forest, and upon such terms and conditions as they may impose.

Sale of unpatented lands, etc.

(c) The purchaser shall have and exercise his rights under any patent issued or contract to sell or sale made under this section free and clear of all claims based upon possessory rights.

Purchaser's rights.

SEC. 3. (a) All receipts from the sale of timber or from the sale of lands under section 2 of this resolution shall be maintained in a special account in the Treasury until the rights to the land and timber are finally determined.

Receipts.

(b) Nothing in this resolution shall be construed as recognizing or denying the validity of any claims of possessory rights to lands or timber within the exterior boundaries of the Tongass National Forest.

Validity of claims.

Approved August 8, 1947.

#### [CHAPTER 517]

#### JOINT RESOLUTION

To authorize the temporary continuation of regulation of consumer credit.

August 8, 1947  
[S. J. Res. 148]  
[Public Law 386]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That after November 1, 1947, the Board of Governors of the Federal Reserve System shall not exercise consumer credit controls pursuant to Executive Order Numbered 8843, and no such consumer credit controls shall be exercised after such date except during the time of war beginning after the date of enactment of this joint resolution or any national emergency declared by the President after the date of enactment of this joint resolution.

50 U. S. C. app. § 5  
note.

Approved August 8, 1947.

#### [CHAPTER 518]

#### AN ACT

To amend sections 1802 (a), 1802 (b), and 3481 (a) of the Internal Revenue Code.

August 8, 1947  
[H. R. 3613]  
[Public Law 387]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 1802 (a) of the Internal Revenue Code is amended by deleting the period at the end of the next to the last sentence and inserting in lieu thereof the following: “: *Provided further*, That where such certificates (or shares, where no certificates are issued) are issued in a recapitalization, the tax payable shall be that proportion of the tax computed on such certificates or shares issued in the recapitalization that the amount dedicated as capital for the first time by the recapitalization, whether

53 Stat. 196.  
26 U. S. C. § 1802 (a).

Certificates or shares issued in recapitalization.